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DATE FILED: July 27, 2017

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MJ WILLIAMS

Plaintiff(s),

-v-

THE CITY OF NEW YORK, ET AL.

Defendant(s).

17 Civ. 1873 (KBF)

SCHEDULING ORDER

KATHERINE B. FORREST, District Judge:

The parties propose the following schedule for this matter:

1. All parties [☐ / **do not** ☒] consent to conducting all further proceedings before a United States Magistrate Judge, including motions and trial. 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences.¹
2. Amended pleadings may not be filed, and no party may be joined, without leave of Court more than 10 days after the filing of this Order or the filing of a responsive pleading, whichever occurs first.
3. Close of fact discovery: 3/30/18 ~~12/20/2017~~. [within 6 months unless the case is particularly complex]
4. Close of expert discovery: 4/30/18 ~~1/31/2018~~. [25 days after the close of fact discovery for all but the most complex cases; for particularly complex cases, 60 days after the close of fact discovery; the parties are to negotiate interim dates regarding expert witnesses]

The parties contemplate experts in this matter for the following subject(s):
Medical Injuries, police practices.

5. [For F.L.S.A. actions only] Plaintiff(s) [☐ / **do not** ☐] anticipate making a motion for conditional certification of a collective action under 29 U.S.C. § 216(b). Plaintiff(s) shall include a proposed notice with the opening brief.

¹ If all parties so consent, they should execute a consent form (available at <http://www.nysd.uscourts.gov/file/forms/consent-to-proceed-before-us-magistrate-judge>) and submit it to the Court via e-mail, along with this proposed order.

Experts
w/in 60
days from
7/27/17,
parties to
agree on expert
disclosure
schedule.

Section 216(b) proposed briefing schedule:

Opening: _____ [30 days after initial conference]
 Opp'n: _____ [21 days after opening brief]
 Reply: _____ [7 days after opposition brief]

6. Motions may be brought at any time. The last opportunity to file any motion (other than in limine and Daubert motions) are set forth below.

Proposed briefing schedule:

4/15/18

5/15/18

5/30/18

Opening: January 21, 2018 [no later than 14 days following item 3]
 Opp'n: February 11, 2018 [generally 21 days after opening brief]
 Reply: February 8, 2018 [generally 7 days after opposition brief]

7. Trial [will ☒ / will not ☐] be before a jury.²

DO NOT FILL IN BELOW. THE COURT WILL SET ITEMS 8-11.

8. The next status conference is set for 10/20/17 at 11am. (telephonic)

9. Pretrial materials, including the Joint Pretrial Order ("JPTO"), are due:

_____.

10. The Final Pretrial Conference ("FPTC") is set for _____ at _____.

Motions in limine are due two weeks before FPTC; oppositions are due one week later. Daubert motions are due four weeks before FPTC; oppositions are due two weeks later. (No replies.)³

11. Trial in this matter shall commence on 7/23/18. Trial is anticipated to take _____ [days / weeks].

Settlement discussions must occur in parallel to this schedule (schedule will not be adjourned, except in very unusual situations, for settlement discussions).

SO ORDERED.

Dated: New York, New York

7/27, 2017

K.B. Forrest
 KATHERINE B. FORREST
 United States District Judge

² Checking this box does not constitute a formal jury demand under Fed. R. Civ. P. 38(b). It serves a purely administrative function.

³ Deadlines for motions in limine and Daubert motions are generalized and subject to change. The parties may request to modify the schedule if desired.